

Sage Legal LLC

18211 Jamaica Avenue • Jamaica, NY 11423-2327 • (718) 412-2421 • emanuel@sagelegal.nyc

November 28, 2024

VIA ECF

United States District Court
Eastern District of New York
Attn: Hon. Cheryl L. Pollak, U.S.M.J.
225 Cadman Plaza East
Courtroom 13B South
Brooklyn, NY 11201-1804

Re: Ortega v. Champagne Room BK, Inc., et al.
Case No.: 1:21-cv-1125 (NGG) (CLP)

Dear Judge Pollak:

This office represents the Plaintiff Iuminada Ortega (hereinafter the “Plaintiff”) in the above referenced case. Plaintiff writes pursuant to this Court’s Orders to renew the parties’ joint letter motion for settlement approval.

On September 16, 2024, Elena Fast, Esq. counsel for Defendant Ruben Yeghoyan, filed a notice of appearance on behalf of Defendant Champagne Room BK, Inc. d/b/a Draft Barn d/b/a End Zone Sports Bar & Lounge the Corporate Defendant. See ECF Docket Entry [96](#). For the reasons set forth in Plaintiff’s correspondence dated October 22, 2024, Plaintiff respectfully requests that the stay against the Corporate Defendant be lifted as the bankruptcy case has been dismissed. See ECF Docket Entry [97](#).

The parties have agreed to amend the settlement agreement to eliminate the confidentiality provision covering the FLSA claims, specifically Plaintiff’s claims regarding wages, hours, and related notices and records. Plaintiff attaches the revised agreement here, and will submit a fully executed agreement in short order. The parties therefore respectfully renew their joint letter motion for approval of the settlement agreement pursuant to Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), cert. denied, 136 S. Ct. 824 (2016) for reasons stated in their original joint letter motion. See ECF Docket Entry [90](#).

Plaintiff sought to file this letter jointly with Defendants, but their counsel was unable to substantively review due to the holiday. To the extent Defendant seek to clarify their position on the foregoing, they should be given an opportunity to do so.

Plaintiff thanks this honorable Court for its time and attention to this case.

Dated: Jamaica, New York
November 28, 2024

Respectfully submitted,

SAGE LEGAL LLC

/s/ Emanuel Kataev, Esq.

Emanuel Kataev, Esq.

18211 Jamaica Avenue

Jamaica, NY 11423-2327

(718) 412-2421 (office)

(917) 807-7819 (cellular)

(718) 489-4155 (facsimile)

emanuel@sagelegal.nyc

Attorneys for Plaintiff

Ortega Illuminada

Enclosure.

VIA ECF

All counsel of record